

*see also*

*122*  
*2/28/02*

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

TERRANCE MONTAGUE,  
Plaintiff  
v.

ROBERT W. MEYERS,  
ROBERT S. BITNER,  
DAVID J. WAKEFIELD,  
TERRY L. WHITMAN,  
JACK ALLAR,  
LARRY LIDGETT,  
LT. DECKER,  
MAJOR YANCY and  
JEFFREY A. RACKOVAN,  
Defendants

CIVIL NO. 1:CV-00-0895  
(Magistrate Judge Smyser)

FILED  
HARRISBURG, PA

MAR 27 2002

MARY E. D'ANDREA, CLERK  
PER *md* DEPUTY CLERK

ORDER

IT IS ORDERED that the motion of the plaintiff for a new trial is **DENIED** for the reasons that the plaintiff has not in his motion identified any error or defect in the proceedings, and that, considering the evidence in the light most favorable to the defendants, and drawing all inferences from the evidence in favor of the defendants, the jury's determination that no defendant violated the plaintiff's Eighth Amendment rights was not unreasonable.

*J. Andrew Smyser*  
J. Andrew Smyser  
Magistrate Judge

Dated: March 27, 2002.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

March 27, 2002

Re: 1:00-cv-00895 Montague v. Meyers

True and correct copies of the attached were mailed by the clerk  
to the following:

Terrance Montague  
SCI-R  
SCI at Rockview  
BZ-2761  
P.O. Box A  
Bellefonte, PA 16823

Gregory R. Neuhauser, Esq.  
Office of Attorney General  
Strawberry Square  
15th Floor  
Harrisburg, Pa 17120

Maryanne M. Lewis, Esq.  
Office of the Attorney General  
15th Floor, Strawberry Square  
Harrisburg, PA 17120

cc:

Judge	( )	( ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	( )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen ( )

Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

DA of County ( ) Respondents ( )

MARY E. D'ANDREA, Clerk

DATE:

3/27/02

BY:

ETS  
Deputy Clerk